

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

GRAPHIC ARTS MUTUAL  
INSURANCE COMPANY,

Plaintiff,

v.

INDIAN RIVER SCHOOL DISTRICT, et al.

Defendants.

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Civ. Action No. 1:06-CV-0246 (JJF)

**JOINT MOTION TO EXTEND DEADLINES AND  
POSTPONE THE JULY 12, 2007 PRE-TRIAL CONFERENCE**

Plaintiff Graphic Arts Mutual Insurance Company (“Graphic Arts”) and Defendants Indian River School District, Indian River School Board, Harvey L. Walls, Mark A. Isaacs, John M. Evans, Richard H. Cohee, Gregory A. Hastings, Nina Lou Bunting, Charles M. Bireley, Donald G. Hatier, Reginald L. Helms, M. Elaine McCabe, Lois M. Hobbs, and Earl J. Savage (collectively “IRSB”), by counsel, move this Court to enter the attached order and postpone the July 12, 2007 Pre-Trial Conference, pursuant to Paragraph 4(g) of the Rule 16 Scheduling Order.

Graphic Arts filed this action to, *inter alia*, determine its rights and obligations under the insurance contract for the *Dobrich* Action. IRSD filed a counter-claim alleging breaches and anticipatory breaches of the insurance contract. Graphic Arts and IRSD now request, by this Motion, an extension of the currently pending deadlines and postponement of the July 12, 2007 Pre-Trial Conference.

Specifically, the parties request an extension of the deadlines for producing expert reports, amendment of pleadings, and dispositive motions by sixty (60) days, and request a

postponement of the July 12, 2007, which request will not affect the trial date of this litigation, as a date has not yet been set. Specifically, the parties request the new deadlines as follows:

- Reports from retained experts required by Fed. R. Civ. P. 26(a)(2) are due from the plaintiff(s) by June 27, 2007; from the defendant(s) by July 11, 2007;
- All motions to amend the pleadings shall be filed on or before July 30, 2007;
- Any case dispositive motions, pursuant to the Federal Rules of Civil Procedure, shall be served and filed with an opening brief on or before August 10, 2007. Briefing shall be pursuant to D. Del. LR 7.1.2; and
- A new deadline for a pre-trial conference to be set at the Court's discretion.

As of the filing of this motion, the parties have exchanged initial disclosures pursuant to Federal Rule of Civil Procedure 26(a)(1) and have exchanged written discovery requests and responses pursuant to Federal Rules of Civil Procedure 33 and 34, but have not yet engaged in depositions and additional discovery in an effort to permit resolution through settlement discussions.

Furthermore, there are ongoing settlement negotiations in *Dobrich, et. al. v. Walls, et. al.*, No. 05-120 (D. Del., filed Feb. 23, 2005) ("*Dobrich* Action"), which is currently pending before this Court. An extension of the deadlines and the Pre-Trial conference will allow the parties in the *Dobrich* Action to continue to negotiate a potential settlement. By granting this motion, IRSD can continue to focus on these negotiations.

WHEREFORE, Graphic Arts and IRSB respectfully request that this Court enter the attached Order.

Dated: April 27, 2007

/s/ Warren T. Pratt

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**STIPULATED ORDER**

And now, on this \_\_\_\_ day of April, 2007, upon consideration of the parties joint request,  
it is hereby ORDERED and DECREED as follows:

(a) Reports from retained experts required by Fed. R. Civ. P. 26(a)(2) are due  
from the plaintiff(s) by June 27, 2007; from the defendant(s) by July 11, 2007;

(b) All motions to amend the pleadings shall be filed on or before July 30,  
2007;

(c) Any case dispositive motions, pursuant to the Federal Rules of Civil  
Procedure, shall be served and filed with an opening brief on or before August 10, 2007.  
Briefing shall be pursuant to D. Del. LR 7.1.2.

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